

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

<p><b>(1) CHERYL PATRICK,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p><b>v.</b></p> <p><b>(1) FARMERS INSURANCE COMPANY, INC, d/b/a Farmers Insurance,</b></p> <p style="text-align: center;"><b>Defendant.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>Case No. 16-CV-680-JHP-TLW (Tulsa County District Court Case No. CJ-16-3444)</b></p>
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**DEFENDANT FARMERS INSURANCE COMPANY. INC.'S  
NOTICE OF REMOVAL**

COMES NOW the Defendant, Farmers Insurance Company, Inc., pursuant to 28 U.S.C. §§ 1441 and 1446, and files this notice of removal of the above-titled action from the District Court of Tulsa County, Oklahoma, to the United States District Court for the Northern District of Oklahoma.

**STATEMENT OF GROUNDS FOR REMOVAL**

1. Plaintiff Cheryl Patrick is an individual who resides in Tulsa County and is a citizen of the State of Oklahoma.
2. Defendant Farmers Insurance Company, Inc. is a corporation organized under the laws of the State of Kansas and having its principal place of business in the State of Kansas, and is therefore a citizen of Kansas.
3. On September 23, 2016, Plaintiff filed a petition for breach of contract and breach of the duty of good faith and fair dealing, asserting damages in excess of \$75,000. (Exhibit # 1, Petition, ¶¶ 6 & 8).

4. This Court therefore has jurisdiction over this action because of the complete diversity of citizenship of the parties hereto, and the sufficiency of the amount in controversy, pursuant to 28 U.S.C. § 1332(a)(1).

5. On October 11, 2016, Plaintiff's Petition and Summons was served upon Defendant Farmers Insurance Company, Inc., through the Oklahoma Insurance Department, and this Notice of Removal is thus timely filed within thirty (30) days of service upon Defendant Farmers Insurance Company, Inc., pursuant to 28 U.S.C. § 1446(b)(1). (Exhibit # 2, Summons).

6. In the same petition, Plaintiff asserted similar claims against Farmers Insurance Group, which is not an entity.

7. In accordance with 28 U.S.C. § 1446(a) and LCvR 81.2, copies of all documents served upon Defendant Farmers Insurance Company, Inc., in this case to date, along with a copy of the state district court Docket Sheet, are submitted with this Notice of Removal. (Exhibit # 1, Petition; Exhibit # 2, Summons; Exhibit # 3, Special Appearance of Defendant Farmers Insurance Company, Inc.; Exhibit # 4, Docket Sheet).

WHEREFORE, PREMISES CONSIDERED, Defendant Farmers Insurance Company, Inc., prays that this Notice of Removal be accepted by this Court, and that the lawsuit proceed as an action properly removed to this Court's jurisdiction.

Respectfully submitted,

s/Phil R. Richards

Phil R. Richards, OBA #10457

Kelsie M. Sullivan, OBA #20350

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**ATTORNEYS FOR DEFENDANT  
FARMERS INSURANCE COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of November, 2016, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Additionally, pursuant to 28 U.S.C. § 1446(d), true and correct copies of the Notice of Removal were mailed, postage prepaid, to the following:

Sally Howe Smith  
Tulsa County Court Clerk  
Civil Division  
500 South Denver Avenue, 2nd Floor  
Tulsa, Oklahoma 74103

Scott Allen, Esq.  
E. TERRILL CORLEY & ASSOCIATES  
1809 E. 15<sup>th</sup> St.  
Tulsa, Oklahoma 74104

**ATTORNEY FOR PLAINTIFF  
CHERYL PATRICK**

s/Phil R. Richards